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## **TESTIMONY OF CONNECTICUT LEGAL SERVICES, INC. IN OPPOSITION TO BILL NO. 197, AN ACT CONCERNING IN-SCHOOL SUSPENSIONS.**

Good afternoon Senator Coleman, Representative Sharkey and members of the Planning and Development Committee. My name is Melanie Starks and I am a staff attorney with the Children-at-Risk unit of Connecticut Legal Services, Inc. (CLS). CLS represents families of children and youth who are having difficulty accessing educational and/or behavioral health services.

I am here today to urge you to oppose S.B. 197, An Act Concerning In-School Suspensions. In 2007, the Connecticut Legislature overwhelmingly passed this suspension law, which was originally intended to go into effect in 2008. After two delays, the law is now set to be implemented on July 1, 2010. S.B. 197 proposes another delay of the law's implementation, this time by two years. Another delay would be detrimental to the well-being of Connecticut's children.

The change to Section 10-233c of the general statutes would prohibit school districts from imposing out-of-school suspensions on students unless "the pupil being suspended poses such a danger to persons or property or such a disruption of the educational process that the pupil shall be excluded from school during the period of suspension."

There is a misconception that the suspension law will require the creation of in-school suspension programs. Given the budget pressures towns and schools are facing, there is concern that this will be prohibitively expensive. However, under the law schools remain free to respond to disciplinary problems with a wide-range of suspension alternatives, including after-hours detention, withdrawal of privileges, parent meetings, referral to services, counseling, and positive reinforcements for good behavior. Moreover, the law preserves school administrators' discretion to suspend student out-of-school when necessary.

In our work, we have found a number of schools and districts are already using creative alternatives to both in-school and out-of-school suspension. Prompt implementation of the law will encourage other districts to adopt best practices and interventions that improve discipline and achievement by keeping children in school.

Data collected by the State Department of Education and analyzed in a report by CT Voices for Children has revealed certain troubling facts about out-of-school suspension in Connecticut: (1) Out-of-school suspensions are



surprisingly common; (2) the majority of out-of school suspensions in Connecticut have been for relatively minor offenses, such as attendance violations, disrespect and language; and (3) low-income students, minority students and students with disabilities are all disproportionately subjected to exclusion from school by suspension.<sup>1</sup>

It should also be noted that over-reliance on out-of-school suspensions places children and youth at greater risk of juvenile delinquency. According to the Connecticut Court Support Services Division, 89% of juveniles arrested have been suspended and/or expelled in the past.

Extensive research also demonstrates that excluding children from school unnecessarily also contributes to the achievement gap and high dropout rates. When children miss school, they fall behind and often have difficulty catching up.

**At CLS, we meet the children behind these statistics and unfortunately can provide many examples from our cases in which out-of-school suspension has been overused and used for minor school policy violations.**

Some brief examples include:

- a 7<sup>th</sup> grader was suspended for 4 days for turning off the light switch in the classroom
- a 5<sup>th</sup> grader was suspended for 8 days (2 days each; 4 times) for cutting class
- a 9<sup>th</sup> grader was suspended for 3 days for having his hood up in class because he was cold

Unfortunately, we see many cases in which repeated suspensions push students toward failure and dropping out when alternative interventions would have been more productive. My client, whom I will call Jose, was 16 years old and reading at a 6th grade level. He had a learning disability and emotional difficulties. He was repeatedly given 2-3 day out of school suspensions for wearing his hat in school and having his cell phone. After serving each suspension, he would return to school and inevitably get suspended again. By the beginning of the second semester, he had been suspended out-of-school for 15 days, and was going to lose credit in all of his classes. After CLS' involvement and advocacy on special education issues, the district agreed to stop suspending Jose and developed a more effective intervention plan that included a mentor teacher, regular check-ins, and positive incentives.

Alternative disciplinary methods and methods to improve school climate, which prevent disciplinary incidents from occurring, are much more effective than excluding children from school. Although schools still retain discretion in determining what conduct warrants out-of-school suspension, the changes to the law effective in July will at least provide some guidance and hopefully reduce the unnecessary exclusion of students from school.

We therefore urge the Planning and Development Committee to **oppose HB 5526, An Act Concerning In-School Suspensions** and allow the change to Conn. Gen. Stat. 10-233c to go into effect as scheduled in July of 2009. I thank you for your consideration.

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<sup>1</sup>Ali, Taby and Dufresne, Alexandra, "Missing Out: Suspending Students from Connecticut Schools" CT Voices for Children (August 2008).